

Docket No.  
00-8832

## Declaration For Patent Application

### English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**INTERNET RADIO AND BROADCAST METHOD**

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as United States Application No. or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional

60/164,846

(Application Serial No.)

10 NOV 99

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor <b>Jeffrey R. BOULTER</b>	
Sole or first inventor's signature <i>Jeffrey R. Boulter</i>	Date <b>11/9/00</b>
Residence <b>Los Angeles, CA</b>	
Citizenship <b>US</b>	
Post Office Address <b>2700 Pennsylvania Ave.</b>	
<b>Santa Monica, CA 90404</b>	

Full name of second inventor, if any <b>Todd M. BEAUPRE</b>	
Second inventor's signature <i>Todd M. Beaupre</i>	Date <b>11/9/00</b>
Residence <b>Los Angeles, CA</b>	
Citizenship <b>US</b>	
Post Office Address <b>2700 Pennsylvania Ave.</b>	
<b>Santa Monica, CA 90404</b>	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL BUSINESS  
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

Docket No.  
00-8832

Serial No.  
Filed Herewith

Filing Date  
Filed Herewith

Patent No.  
N/A

Issue Date  
N/A

Applicant/ **LAUNCH Media, Inc.**  
Patentee:

Invention: **INTERNET RADIO AND BROADCAST METHOD**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: **LAUNCH Media, Inc.**

ADDRESS OF CONCERN: **2700 Pennsylvania Ave., Santa Monica, CA 90404**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below.

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Jim Pitaro, Esq.

TITLE OF PERSON SIGNING

OTHER THAN OWNER:

JP  
General Counsel Vice President, Business + Legal Affairs

ADDRESS OF PERSON SIGNING:

LAUNCH Media, Inc.2700 Pennsylvania Ave.Santa Monica, CA 90404

SIGNATURE:



DATE:

11/9/00

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27 (b)) - INDEPENDENT INVENTOR**

Docket No.  
00-8832

Serial No.  
Filed Herewith

Filing Date  
Filed Herewith

Patent No.  
N/A

Issue Date  
N/A

Applicant/ **LAUNCH Media, Inc.**  
Patentee:

Invention: **INTERNET RADIO AND BROADCAST METHOD**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled above and described in:

- ☒ the specification to be filed herewith.  
☐ the application identified above.  
☐ the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ No such person, concern or organization exists.  
☒ Each such person, concern or organization is listed below.

**\*NOTE:** Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

FULL NAME **LAUNCH Media, Inc.**

ADDRESS **2700 Pennsylvania Ave., Santa Monica, CA 90404**
☐ Individual

☒ Small Business Concern

☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR Jeffrey R. BoulterSIGNATURE OF INVENTOR *Jeff R. Boulter*DATE: 11/9/00NAME OF INVENTOR Todd M. BeaupreSIGNATURE OF INVENTOR *Todd M Beaupre*DATE: 11/9/00

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

POWER OF ATTORNEY

Docket No.

00-8832

Name of Applicant: LAUNCH Media, Inc.  
Address of Applicant: 2700 Pennsylvania Ave.  
Santa Monica, CA 90404

Title: INTERNET RADIO AND BROADCAST METHOD

Serial No., if Any: N/A

Filed:

TO THE ASSISTANT COMMISSIONER FOR PATENTS

The Assistant Commissioner for Patents  
Washington, D.C. 20231

Honorable Sir:

I hereby appoint:


Andrew S. Jordan, Esq. Reg. No. 33,917  
Donald M. Cislo, Reg. No. 22,060  
Daniel M. Cislo, Reg. No. 32,973  
Robert J. Lauson, Reg. No. 41,930  
Mauri L. Aven, Reg. No. 42,275  
Kelly W. Cunningham, Reg. No. 43,570  
Matthew J. Cohen, Esq., Reg. No. 42,426

as principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to:

Andrew S. Jordan, Esq.  
Cislo & Thomas LLP  
233 Wilshire Blvd., Suite 900  
Santa Monica, CA 90401

By:

  
Jim Pitaro, Esq.  
~~General Counsel~~ *VP, Business + Legal Affairs*  
LAUNCH Media, Inc. *(JP)*  
2700 Pennsylvania Ave.  
Santa Monica, CA 90404

Dated:

*11/9/00*



**STATEMENT UNDER 37 CFR 3.03(b)**

Applicant: LAUNCH Media, Inc.  
Application No.: Filed Herewith

Docket No.: 00-8832  
Filing Date: November 9, 2000



For: INTERNET RADIO AND BROADCAST METHOD

LAUNCH MEDIA, INC. a(n) corporation states that it is the assignee of the entire right, title, and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventors of the patent application identified above, for which a copy thereof is attached herein.

**OR**

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: To:  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_, Frame \_\_\_, or for which a copy thereof is attached.

2. From: To:  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_, Frame \_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

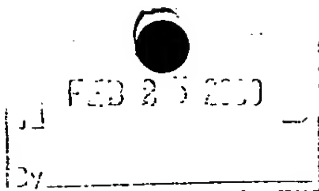
The undersigned has reviewed all the documents in the chain of title of the parent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied here below) is empowered to sign this statement on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

November 9, 2000  
Date

Andrew S. Jordan  
Signature  
Name: Andrew S. Jordan, Esq.  
Title: Attorney for LAUNCH Media, Inc.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FEBRUARY 16, 2000

PTAS

CISLO & THOMAS, LLP  
ANDREW S. JORDAN, ESQ.  
233 WILSHIRE BOULEVARD, SUITE 900  
SANTA MONICA, CA 90401



\*101204392A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/10/1999

REEL/FRAME: 010382/0630  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
BOULTER, JEFFREY R.

DOC DATE: 11/10/1999

ASSIGNOR:  
BEAUPRE, TODD M.

DOC DATE: 11/10/1999

ASSIGNEE:  
LAUNCH MEDIA, INC.  
2700 PENNSYLVANIA AVENUE  
ATTENTION: JONATHAN SICHEL, ESQ.  
SANTA MONICA, CALIFORNIA 90404

SERIAL NUMBER: 60164846  
PATENT NUMBER:

FILING DATE: 11/10/1999  
ISSUE DATE:

010382/0630 PAGE 2

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RECO

11-19-1999

cket No.: D-7879

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



101204392

To the Honorable Commissioner of Patents and

1 original documents or copy thereof.

1. Name of conveying party(ies):

BOULTER, Jeffrey R.  
BEAUPRE, Todd M.

2. Name and address of receiving party(ies):

Name: LAUNCH MEDIA, INC.

Internal Address: Attention: Jonathan Sichel, Esq.

Street Address: 2700 Pennsylvania Avenue

City: Santa Monica State: CA ZIP: 90404

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: November 10, 1999

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: Filed Herewith

A. Patent Application No.(s)

B. Patent No.(s)

60/164846

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Andrew S. Jordan, Esq.

Internal Address: CISLO & THOMAS, LLP

Street Address: 233 Wilshire Boulevard, Suite 900

City: Santa Monica State: CA ZIP: 90401

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

03-2030

11/18/1999 DNGUYEN 00000238 60164846

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Andrew S. Jordan, Esq.

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document:

14

# PATENT ASSIGNMENT

This assignment made on November 10, 1999 by JEFFREY R. BOULTER and TODD M. BEAUPRÉ, (Assignors) all of Los Angeles, to LAUNCH Media, Inc., (Assignee), having a place of business at 2700 Pennsylvania Avenue, Santa Monica, California 90404;

WHEREAS, Assignors have invented a new, original and useful invention entitled **INTERNET RADIO AND BROADCAST METHOD** (Invention(s)), for which a United States provisional patent application will be or has been filed, further identified by attorneys Cisló & Thomas LLP's, docket number D-7879 (Provisional Patent Application);

WHEREAS, Assignors believe themselves to be the original, first, and joint inventors of the Invention(s) disclosed in said Provisional Patent Application; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title, and interest in and to said Invention(s), and said Provisional Patent Application and any related patent applications in the United States and throughout the world.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign, and transfer to Assignee, the entire right, title, and interest in and to said Invention(s), and said Provisional Patent Application for said Invention(s) in the United States and throughout the world, including the right to file foreign applications directly in the name of Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Further Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing said Provisional Patent Application and any related patent applications in the United States and throughout the world for said Invention(s), and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said Invention(s), said Provisional Patent Application, and any related patent applications filed, and any patents granted for said Invention(s) in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Patent granted for said Invention(s), whether on an application for said Invention(s), a patent application related to said Provisional Patent Application, or on any subsequently filed provisional, non-provisional, divisional, continuation, continuation-in-part, reissue, or other

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application, to Assignee, its successors and assigns, as the assignee of the entire interest in said Invention(s).

IN WITNESS WHEREOF, Assignors have executed this Assignment on the date  
first above written and as set forth below.

Signed at: Santa Monica, CA

Date: 11/10/99

By: [Signature]

JEREMY R. BOULTER  
Assignor

Signed at: Santa Monica, CA

Date: 11/10/99

By: [Signature]

TODD M. BEAUPRE  
Assignor

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